

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CANDY M. R.,

Plaintiff(s),

v.

MARTIN O'MALLEY,

Defendant(s).

Case No. 2:24-cv-00927-NJK

Order

When a party seeks permission to pursue a civil case *in forma pauperis*, courts screen the complaint. *See* 28 U.S.C. § 1915(e). In the social security context, that screening includes analysis of whether the civil action was timely commenced within 60 days after notice of a final decision. *See, e.g., Graves v. Colvin*, 2015 WL 357121, at *2 (D. Nev. Jan. 26, 2015) (collecting cases).¹ Plaintiff's complaint here acknowledges that it is facially untimely, but indicates that an extension request was filed below and that the extension request remains pending. *See* Docket No. 1-1 at ¶ 8. Given the circumstances, Plaintiff must file either an amended complaint or a status report by June 17, 2024.

IT IS SO ORDERED.

Dated: May 17, 2024


 Nancy J. Koppe
 United States Magistrate Judge

¹ New rules govern social security cases, which provide in pertinent part that the plaintiff "may" provide a short and plain statement of the grounds for relief. Supp. R. Soc. Sec. 2(b)(2). In the context of an *in forma pauperis* screening, however, a social security plaintiff must still provide a sufficient explanation as to her contentions on appeal. *Jalal H. v. Comm'r of Soc. Sec.*, 2023 WL 35218, at *2 (S.D. Cal. Jan. 4, 2023). Although the Court declines to engage in a full screening herein in light of the timeliness issue identified above, it would appear that the complaint fails on additional grounds. *See Graves*, 2015 WL 357121, at *2.